

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA

v.

Tara Ann Gallagher,

Defendant.

CR 21-43-BU-DLC

**ORDER SETTING CONDITIONS
OF RELEASE**

IT IS ORDERED that the Defendant's release is subject to these conditions:

- (1) Defendant must not violate **federal, state, local, or tribal law** while on release.
- (2) Defendant must cooperate in the collection of a **DNA sample** if it is authorized by 42 U.S.C. § 14135a.
- (3) Defendant must advise the Pretrial Services Officer in writing before making any **change of residence or telephone number**.
- (4) Defendant must **appear in court** as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the Defendant's release is subject to the following additional conditions:

- (5) [a] Defendant must submit to **supervision** by, and report to, the Pretrial Services Officer, no later than immediately following today's court proceedings and thereafter at such times and in such manner as designated by the Officer.
- (6) [e] Defendant must not obtain a **passport** or other international travel document.
- (7) [f] Except upon prior approval by the Pretrial Services Officer, the Defendant's **travel** is restricted to the District of Montana
- (8) [k] Defendant must not possess a **firearm**, destructive device, or other weapon.
- (9) [l] Defendant must not (X) use **alcohol** or () not use alcohol to excess
- (10) [n] Defendant must submit to **testing** for a prohibited substance if required by the Pretrial Services Officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and any form of prohibited substance screening or testing. Defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance

screening or testing. Defendant shall pay all costs associated with the program, unless the Pretrial Services Officer determines Defendant is financially unable to pay.

(11) [o] Defendant must participate in a program of inpatient or outpatient **mental health** therapy and counseling if directed by the Pretrial Services Officer.

(12) Defendant must maintain contact with their attorney.

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the Defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant

IT IS FURTHER ORDERED that the Defendant is **RELEASED** after processing by the United States Marshal Service.

DATED this 3rd day of January, 2022.



Kathleen L. DeSoto
United States Magistrate Judge